

TOWN OF KITTERY, MAINE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

June 22, 2015

Kittery Town Council
Requested by Chairperson Jeffrey Thomson
Special Meeting Agenda

Council Chambers

6:15 p.m.

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. EXECUTIVE SESSION

a. (060315-1) The Kittery Town Council moves to go into Executive Session with the Town Manager and Town Attorney, in accordance with 1 M.R.S. §405 (6) (E), to discuss a legal matter.

6. ADJOURNMENT

Posted: June 18, 2015



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

June 22, 2015

Council Chambers

Kittery Town Council
Regular Meeting
7:00 p.m.

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes –5/4/15 & 6/15/15 Special Meetings
8. Interviews for the Board of Appeals and Planning Board
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.
10. PUBLIC HEARINGS
11. DISCUSSION
 - a. Discussion by members of the public (three minutes per person)
 - b. Response to public comment directed to a particular Councilor
 - c. Chairperson's response to public comments
12. UNFINISHED BUSINESS
13. NEW BUSINESS
 - a. Donations/gifts received for Council disposition - None
 - b. (060315-1) The Kittery Town Council moves to approve an application from Daniel Clarence Raynard, 14 Stonecroft, Apt. 6, Portsmouth NH for a Malt and Vinous Liquor License for Tasty Thai, 182 State Road.

c. (060315-2) The Kittery Town Council moves to approve a renewal application from Tributary Brewing Co., LLC, 5 Winding Brooke Lane, South Berwick, ME for a Malt Liquor License for Tributary Brewing Co., 10 Shapleigh Road, Suite A.

d. (060315-3) The Kittery Town Council moves to approve the disbursement warrants.

e. (060315-4) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Kittery Community Center Board of Directors to interview Michael Downs for his re-appointment to that board until 5/30/18.

f. (060315-5) The Kittery Town Council moves in accordance with Sec. 6.06 (3) of the Town Charter to adopt the 2015-16 Municipal and Adult Education budgets.

g. (060315-6) The Kittery Town Council moves to approve the 2015-16 Sewer Department budget.

14. COUNCILOR ISSUES OR COMMENT

15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson
- b. Committee Reports

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: June 18, 2015



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

ncolbertpuff@kitteryme.org

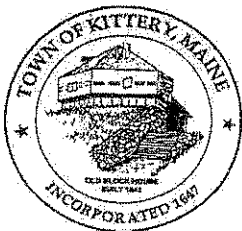
Nancy Colbert Puff
Town Manager

Town Manager's Report to the Town Council June 22, 2015

1. **LD-1 and Proposed 2016 Budget** – A draft LD-1 worksheet is enclosed in your packet – Council will see a final version in September, as part of setting the tax rate. It appears the 2016 budget will exceed the guideline of LD-1 by approximately \$419,000.
2. **Summer Meals for Kids and Teens** – The Kittery School Nutrition Program will be offering a summer lunch program at the Kittery Community Center and Woodland Commons, Monday – Thursday, from 11-12:30. This program is open and free to any child under 18 years old. School Nutrition Director Wendy Collins is able to answer any questions at 439-4846 or wcollins@kitteryschools.com.
3. **So. Maine Planning & Development Commission 50th Anniversary** – I will be attending SMRPDC's celebration and Annual Meeting on Wednesday evening, June 24th. The topic of the evening will be "Looking into Our Energy and Broadband."
4. **LD-780 Re: John Paul Jones Park** – On June 9th, both chambers of the State Legislature overrode the Governor's veto and this bill became law. We will now begin working with the Bureau of Parks and Lands to determine the terms and conditions under which the Town may accept ownership of the park.
5. **Town Accountant Resignation**– With regret I inform the Council that Susan Rossignol has submitted her letter of resignation and will be leaving the Town's employ sometime in mid-August. As a result, the Town is advertising to fill her position, which focuses on payroll, accounts payable, and general ledger reconciliation. We will advertise for this position immediately.
6. **Town Assessor Retirement**– Bruce Kerns has announced he will be retiring as of July 14th. I am actively working to identify an interim replacement to bring the Town through tax setting season, and aim to have a permanent replacement in this position by early fall.
7. **MTCMA, ICMA, US Brownfields Conferences** – With Council's approval, I would like to attend the following conferences on the following dates. Registrations are being accepted immediately.
 - MCTMA (Maine Town/City Management Association) Aug. 12-14
 - US Brownfields Conference (funded through the brownfields grant) Sept. 2-4
 - ICMA (International City/County Management Association) Sept. 27-30

Respectfully Submitted,

Nancy Colbert Puff



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

ncolbertpuff@kitteryme.org

Nancy Colbert Puff
Town Manager

INTEROFFICE MEMORANDUM

TO: TOWN COUNCIL
FROM: NANCY COLBERT PUFF, TOWN MANAGER *NCP*
SUBJECT: REVISED BUDGET REQUEST
DATE: JUNE 8, 2015
CC: CINDY SAKLAD, JANICE GRADY

At its workshop on May 18th, Council requested I revise the proposed budget to:

1. Reflect a 5% reduction in the CIP capital holding and dedicated reserve accounts; and
2. Present an option for the KCC budget to reflect the conversion of a part-time lead teacher to a full time lead teacher position.

The net result of these changes meets the Council's guidance of a 1.7% increase in expenses over FY 2015, and a projected tax rate increase of \$0.22, or \$15.74 (which is a projected 1.4% increase).

When we revised the KCC budget, we were able to incorporate a reduction in the medical insurance projected costs as a result of plan chosen by a newly hired employee. Alongside other minor adjustments in salary/benefit figures totaled a \$10,745.

Original KCC Budget	\$1,228,929	
Minus medical plan	<u>(\$10,745)</u>	
New KCC Proposed Budget	\$1,218,184	OPTION 1
Plus FT Teacher	<u>\$15,635</u>	
New KCC Proposed Budget w/FT Teacher	\$1,233,819	OPTION 2

(net increase of \$4,890 over original
Proposed Budget)

If the Council opted to not support the FT teacher position, the overall increase in expenses would be 1.6%, with a projected rate increase of \$0.21, or \$15.73.

Attached are revised budget worksheets that reflect the above changes.

*Corrected
6/17/15
NCP*

DRAFT

2015 MUNICIPAL PROPERTY TAX LEVY LIMIT WORKSHEET

Questions? Call the Office of Policy and Management - 480-3090. Or visit <http://www.maine.gov/economist/ld1/index.shtml>

Municipality: Kittery Contact Person*: Nancy Colbert Puff Phone Number: 475-1329

*** The Contact Person should be able to answer clarifying questions about the reported information.**

The following two pages show how to calculate your municipality's property tax levy limit. Completing these pages is not mandatory, but doing so will help ensure that your municipality complies with Maine law on the rate of property tax increases. Information on new property, appropriations, and deductions should be collected from the assessor and the valuation book before completing these pages.

Calendar Year Municipalities - For communities with "calendar year" budgets, the use of the term 2014 refers to the budget year that ended at the end of 2014 or early 2015. The use of the term 2015 refers to the budget year that will end at the end of 2015 or in early 2016.

Fiscal Year Municipalities - For communities with "fiscal year" budgets, the use of the term 2014 refers to the July 1, 2014 to June 30, 2015 budget year. The use of the term 2015 refers to the July 1, 2015 to June 30, 2016 budget year.

LAST YEAR'S (2014) MUNICIPAL PROPERTY TAX LEVY LIMIT

This is the portion of 2014 property tax revenue used for municipal services.

- If last year the municipality committed LESS THAN or EQUAL TO the limit, enter last year's limit on Line 1 below.
- If last year the municipality voted to EXCEED the limit ONCE (just last year), enter last year's limit on Line 1 below.

1. LAST YEAR'S MUNICIPAL PROPERTY TAX LEVY LIMIT \$5,754,705

OR

- If last year the municipality voted to INCREASE the limit PERMANENTLY, complete Steps A-D below. The information needed for this calculation is on the Municipal Tax Assessment Warrant, filed in the Valuation Book.

A. Last year's Municipal Appropriations (Line 2, 2014 Municipal Tax Assessment Warrant) \$

B. Last year's Total Deductions (Line 11, 2014 Municipal Tax Assessment Warrant) \$

C. If necessary, enter any revenue included in Total Deductions that paid for non-municipal appropriations, such as schools. (If all deductions paid for municipal appropriations, enter "0".) \$

D. Add Lines A and C, and subtract Line B. Enter result on Line 1 above.

CALCULATE GROWTH LIMITATION FACTOR

- Each municipality's Growth Limitation Factor is based on local property growth and statewide income growth.

2. Total New Taxable Value of lots (splits), buildings, building improvements, and personal property first taxed on April 1, 2014 (or most recent year available) \$12,656,900

3. Total Taxable Value of Municipality on April 1, 2014 (or most recent year available) \$1,409,812,100

4. Property Growth Factor (Line 2 divided by Line 3) 0.0090

5. Income Growth Factor (provided by Office of Policy and Management) 0.0086

6. Growth Limitation Factor (Line 4 plus Line 5) 0.0176

7. Add 1 to the Growth Limitation Factor calculated in Line 6. 1.0176
(For example, if Line 6 is 0.0362, then enter 1.0362 on Line 7.)

2015 MUNICIPAL PROPERTY TAX LEVY LIMIT WORKSHEET

2015 MUNICIPAL PROPERTY TAX LEVY LIMIT WORKSHEET

CALCULATE 2014-2015 CHANGE IN REVENUE SHARING (previously "NET NEW STATE FUNDS")

- Determine if revenue sharing increased or decreased. Years refer to municipal fiscal year.

8. 2014 Municipal Revenue Sharing	<u>\$412,498</u>
9. 2015 Estimated Municipal Revenue Sharing	<u>\$367,838</u>
10. If Line 8 is greater than Line 9, then calculate Line 8 minus Line 9. Enter result at right; skip Line 11	<u>\$44,660</u>
11. If Line 9 is greater than Line 8, then complete 11A & 11B below.	
A. Multiply Line 8 by Line 7.	<u>\$</u>
B. Calculate Line 9 minus Line 11A. Enter result at right. (If result is negative, enter "0".)	<u>\$</u>

CALCULATE THIS YEAR'S (2015) MUNICIPAL PROPERTY TAX LEVY LIMIT

- This year's Property Tax Levy Limit is last year's limit increased by the Growth Factor and adjusted for revenue sharing.

12 Apply Growth Limitation Factor to last year's limit.	(Line 1 multiplied by Line 7) <u>\$5,855,988</u>
13 THIS YEAR'S MUNICIPAL PROPERTY TAX LEVY LIMIT	
If Line 9 is greater than Line 8 (revenue sharing increased), you MUST subtract Line 11B from Line 12. This is required.	
OR If Line 9 is less than Line 8 (revenue sharing decreased), you MAY add Line 10 to Line 12. This is optional.	
- Enter result at right.	<u>\$5,900,648</u>

CALCULATE THIS YEAR'S (2015) MUNICIPAL PROPERTY TAX LEVY

- The information needed for this calculation is on the 2015 Municipal Tax Assessment Warrant, filed in the Valuation Book. Use estimates if necessary.

A. This year's Municipal Appropriations	(Line 2, 2015 Municipal Tax Assessment Warrant) <u>\$11,328,507</u>
B. This year's Total Deductions	(Line 11, 2015 Municipal Tax Assessment Warrant) <u>\$5,695,423</u>
C. If necessary, enter any revenue included in Total Deductions that paid for non-municipal appropriations, such as schools. (If all deductions paid for municipal appropriations, enter "0".)	<u>\$686,862</u>
14 THIS YEAR'S MUNICIPAL PROPERTY TAX LEVY (Add Lines A and C, and subtract Line B)	<u>\$6,319,946</u>

15 COMPARE this year's MUNICIPAL PROPERTY TAX LEVY to the LIMIT (Line 13 minus Line 14)	<u>(\$419,298)</u>
(If the result is negative, then this year's municipal property tax levy is greater than the limit and a vote must be taken.)	

16 Did the municipality vote to EXCEED the limit ONCE (just this year)?	<input type="checkbox"/> <u>20</u> <input type="checkbox"/>
(Voting to exceed the limit means the municipality will calculate next year's limit based on line 13.)	

If "yes", please describe why:

17 Did the municipality vote to INCREASE the limit PERMANENTLY (for current and future years)?	<input type="checkbox"/> <u>20</u> <input type="checkbox"/>
(Voting to increase the limit means the municipality will calculate next year's limit based on line 14.)	

If "yes", please describe why:

2015 MUNICIPAL PROPERTY TAX LEVY LIMIT WORKSHEET

UNAPPROVED MINUTES

May 4, 2015

Kittery Town Council
Special Meeting
Requested by Jeffrey Thomson, Chair

Council Chambers

1. CALL TO ORDER: Chairperson Thomson called the meeting to order at 5:45 p.m.
2. INTRODUCTORY: Chairperson Thomson read the introductory.
3. PLEDGE OF ALLEGIANCE: Chairperson Thomson led those present in the Pledge of Allegiance.
4. ROLL CALL: Answering the roll were Councilors Frank Dennett, Charles Denault, Jeffrey Pelletier, Councilor Spiller, Councilor Kenneth Lemont, and Chairperson Jeffrey Thomson.
5. PUBLIC HEARING:

(050115-1) The Kittery Town Council moves to hold a public hearing on an application from Sandra Taskiran, 75 Norton Road, Kittery for a Victualer's License for Potato Dynasty, 283 US Route 1.

COUNCILOR SPILLER MOVED TO APPROVE AN APPLICATION FROM SANDRA TASKIRAN, 75 NORTON ROAD, KITTERY FOR A VICTUALER'S LICENSE FOR POTATO DYNASTY, 283 US ROUTE 1, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

6. ADJOURNMENT:

COUNCILOR DENAULT MOVED TO ADJOURN, SECONDED BY COUNCILOR SPILLER WITH ALL IN FAVOR BY A VOICE VOTE. MEETING ADJOURNED AT 5:48 P.M.

UNAPPROVED MINUTES

KITTERY TOWN COUNCIL

May 27, 2015

COUNCIL CHAMBERS

1. Call to Order

Vice Chair White called the meeting to order at 7:00 P.M.

2. Introductory

Vice Chair White read the introductory.

3. Pledge of Allegiance

Vice Chair White led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll were Councilors Russell White, Frank Dennett, Chuck Denault, Judy Spiller, Jeffrey Pelletier and Ken Lemont.

5. Agenda Amendment and Adoption –

Vice Chair White stated he wanted to add a new item L under new business to postpone the 2016 Public Budget Meeting to a Special Meeting on June 15th.

6. Town Manager's Report –

Town Clerk Place read a letter from a resident commending the preschool program in Kittery.

7. Acceptance of Previous Minutes – None

8. Interviews for the Board of Appeals and Planning Board – None

9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials – None

10. PUBLIC HEARINGS -

a. (050315-1) The Kittery Town Council moves to hold a public hearing pursuant to Section 6.11(2) of the Town Charter to approve and ordain a 3 year waste handling agreement with EcoMaine.

UNAPPROVED MINUTES

Vice Chair White indicated that this public hearing was advertised as necessary in the local, printed media. Vice Chair White then opened the public hearing, and no response being heard closed the public hearing.¹

COUNCILOR DENNETT MOVED TO APPROVE AND ORDAIN A THREE YEAR WASTE HANDLING AGREEMENT WITH ECOMAINE, SECONDED BY COUNCILOR PELLETIER.

Councilor Dennett stated that the changes to the agreement were only received that day and did not have enough time to review them.

COUNCILOR DENNETT MOVED TO POSTPONE ACTION ON THIS ITEM UNTIL JUNE 8, SECONDED BY COUNCILOR SPILLER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

b. (050315-2) The Kittery Town Council moves to hold a public hearing on an application from Michael Prete, 35 Sampson Road, Rochester, NH for a Victualer's License for Blind Pig Provisions, LLC, 2 Badgers Island West.

Vice Chair White indicated that this public hearing was advertised as necessary in the local, printed media. Vice Chair White then opened the public hearing, and no response being heard closed the public hearing.

COUNCILOR DENNETT MOVED TO APPROVE AN APPLICATION FROM MICHAEL PRETE, 35 SAMPSON ROAD, ROCHESTER, NH FOR A VICTUALER'S LICENSE FOR BLIND PIG PROVISIONS, LLC, 2 BADGERS ISLAND WEST, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

c. (050315-3) The Kittery Town Council moves to hold a public hearing on an application from Kate's Bakery and Café, LLC, 1 Badgers Island West, Kittery, ME for a Victualer's License for Kate's Bakery and Café, 1 Badgers Island West.

Vice Chair White indicated that this public hearing was advertised as necessary in the local, printed media. Vice Chair White then opened the public hearing, and no response being heard closed the public hearing.

COUNCILOR SPILLER MOVED TO APPROVE AN APPLICATION FROM KATE'S BAKERY AND CAFÉ, LLC, 1 BADGERS ISLAND WEST, KITTERY, ME

¹ Chairperson Thomson arrived at 7:38 PM

UNAPPROVED MINUTES

FOR A VICTUALER'S LICENSE FOR KATE'S BAKERY AND CAFÉ, 1 BADGERS ISLAND WEST, SECONDED BY COUNCILOR DENAULT.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSESS 6/0.

d. (050315-4) The Kittery Town Council moves to hold a public hearing on a renewal application of Capital Video Corporation, 44 Bedson Road, Cranston, RI for a Viewing Booths License for Amazing.net, 92 Route 236.

Vice Chair White indicated that this public hearing was advertised as necessary in the local, printed media. Vice Chair White then opened the public hearing, and no response being heard closed the public hearing.

COUNCILOR PELLETIER MOVED TO APPROVE A RENEWAL APPLICATION OF CAPITAL VIDEO CORPORATION, 44 BEDSON ROAD, CRANSTON, RI FOR A VIEWING BOOTHS LICENSE FOR AMAZING.NET, 92 ROUTE 236, SECONDED BY COUNCILOR SPILLER.

Councilor Denault stated that there were ongoing problems on the premises and would be voting no on this item. Vice Chair White stated that he would like to hear from the police department on the issues going on. Councilor Dennett noted they could postpone action as long as the license did not expire in the meantime. Vice Chair White stated they would hold off on acting on this item until later in the meeting to get clarification as to when the license expired.

11. Discussion

a. Discussion by members of the public –

Vice Chair White read a letter received from Jessie Bennett relative to problems going on at Rogers Park. It was noted that people were bringing their animals to the park and letting them run off leash and not picking up after them. Ms. Bennett asked that the Park ban dogs or set a specific timeframe as to when they were allowed in the park. Councilor Dennett responded that he would like to hear from the Parks Commission on this matter.

b. Response from Chairperson –

12. UNFINISHED BUSINESS - None

13. NEW BUSINESS

a. Donations/gifts received for Council disposition - None

UNAPPROVED MINUTES

b. (050315-5) The Kittery Town Council moves to authorize the location of a sign inside the public right-of-way at 22 Route 236, as described in the April 13, 2015 proposal prepared by PTE Precision Machine.

COUNCILOR PELLETIER MOVED TO AUTHORIZE THE LOCATION OF A SIGN INSIDE THE PUBLIC RIGHT OF WAY AT 22 ROUTE 236, AS DESCRIBED IN THE APRIL 13, 2015 PROPOSAL PREPARED BY PATENT TOOL & ENGINEERING, INC. D/B/A PTE PRECISION MACHINING, CONDITIONED ON COMPLIANCE WITH ALL ASPECTS OF TOWN CODE AND THAT THE SIGN BE NO CLOSER THAN 40 FEET FROM THE CENTER LINE OF ROUTE 236, SECONDED BY COUNCILOR DENAULT.

Councilor Dennett stated his issues with this item and noted that he thought this might want to be postponed until those were ironed out.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

10 d. (continued from above)

Acting Town Manager Place noted that the license would expire on June 9th.

COUNCILOR DENNETT MOVED TO POSTPONE ACTION ON THIS ITEM UNTIL JUNE 8TH, SECONDED BY COUNCILOR DENAULT.

A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR LEMONT OPPOSED. MOTION PASSES 6/1.

c. (050315-6) The Kittery Town Council moves to approve a one day extension of the premise on the current liquor license for the Black Birch, from 9 AM – 10 PM for the Kittery Block Party on June 20, 2015.

COUNCILOR SPILLER MOVED TO APPROVE A ONE DAY EXTENSION OF THE PREMISE ON THE CURRENT LIQUOR LICENSE FOR THE BLACK BIRCH, FROM 9 AM – 10 PM FOR THE KITTEY BLOCK PARTY, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

d. (050315-7) The Kittery Town Council moves to approve a renewal application from Suzanne's Village Café & Bistro, LLC, 373 Southside, York. ME for a Malt, Spirituous and Vinous Liquor License for Misto!, 436 Route 1.

UNAPPROVED MINUTES

120 **COUNCILOR SPILLER MOVED TO APPROVE A RENEWAL APPLICATION**
121 **FROM SUZANNE'S VILLAGE CAFÉ AND BISTRO, LLC, 373 SOUTHSIDE, YORK,**
122 **ME FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR MISTO!, 436**
123 **ROUTE 1, SECONDED BY COUNCILOR PELLETIER.**

124 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
125 **7/0.**

126 e. (050315-8) The Kittery Town Council moves to approve the annual renewal list for
127 Victualers licenses.

128 **COUNCILOR SPILLER MOVED TO APPROVE THE ANNUAL RENEWAL**
129 **LIST FOR VICTUALER'S LICENSES, SECONDED BY COUNCILOR PELLETIER.**

130 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION**
131 **PASSES 7/0.**

132 f. (050315-9) The Kittery Town Council moves to approve the annual renewal list for
133 the Amusement Devices licenses.

134 **COUNCILOR PELLETIER MOVED TO APPROVE THE ANNUAL RENEWAL**
135 **LIST FOR AMUSEMENT DEVICE LICENSES, SECONDED BY COUNCILOR**
136 **SPILLER.**

137 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
138 **7/0.**

139 g. (050315-10) The Kittery Town Council moves to approve the disbursement warrants.

140 **CHAIRPERSON THOMSON MOVED TO APPROVE THE DISBURSEMENT**
141 **WARRANTS, SECONDED BY COUNCILOR PELLETIER.**

142 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
143 **7/0.**

144 h. (050315-11) The Kittery Town Council moves to appoint a representative to meet
145 with the Chair of the Kittery Community Center Board of Directors, to interview Jean Lincoln
146 for her re-appointment to that board until 5/30/18.

147 **CHAIRPERSON THOMSON MOVED TO REAPPOINT JEAN LINCOLN TO**
148 **THE KITTEY COMMUNITY CENTER BOARD OF DIRECTORS FOR A TERM**
149 **ENDING 5/30/18, WITHOUT THE BENEFIT OF AN INTERVIEW, SECONDED BY**
150 **COUNCILOR DENAULT.**

UNAPPROVED MINUTES

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

i. (050315-12) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Educational Scholarship Selection Committee, to interview George Dow for appointment to that board until 2/8/18.

COUNCILOR DENNETT MOVED TO APPOINT COUNCILOR LEMONT TO MEET WITH THE CHAIR OF THE EDUCATIONAL SCHOLARSHIP SELECTION COMMITTEE, TO INTERVIEW GEORGE DOW FOR APPOINTMENT TO THAT BOARD UNTIL 2/8/18, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

j. (050315-13) The Kittery Town Council moves to appoint Peter Whitman to the Port Authority until 8/31/18 to fill the unexpired term of Dan Arbo.

COUNCILOR WHITE MOVED TO APPOINT PETER WHITMAN TO THE PORT AUTHORITY UNTIL 8/31/18 TO FILL THE UNEXPIRED TERM OF DAN ARBO, SECONDED BY COUNCILOR DENAULT.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

k. (050315-14) The Kittery Town Council moves to appoint a councilor to the Kittery Community Center Board of Directors until 3/26/18 to fill the unexpired term of Jeff Thomson.

COUNCILOR SPILLER MOVED TO REAPPOINT JEFF THOMSON TO THE KITTERY COMMUNITY CENTER BOARD OF DIRECTORS UNTIL 3/26/18, WITHOUT THE BENEFIT OF AN INTERVIEW, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

l. The Kittery Town Council moves to postpone the FY '16 Budget Public Hearing until a Special Meeting on June 15th at 7:00 P.M.

COUNCILOR SPILLER MOVED TO POSTPONE THE FY'16 BUDGET PUBLIC HEARING UNTIL A SPECIAL MEETING ON JUNE 15TH AT 7:00 P.M., SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 7/0.

UNAPPROVED MINUTES

14. COUNCILOR ISSUE OR COMMENT

Councilor Dennett indicated that the records in the Planning Department were not in good order and hoped they would start to keep them in better shape.

Councilor Denault stated that he and Councilor Lemont had attended the Boy Scouts Alumni Meeting at the Lions Club earlier that day. He continued that he was disappointed that the Portsmouth Herald did not run an article it as he had requested.

Councilor Lemont noted that property taxes were due on May 31st which was a Sunday. He asked if people paid the following Monday if any late fees or interest would be accrued. The Board indicated that they would not.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson –

Chairperson Thomson stated they had received a letter from Comcast which included a check for the franchise fee.

b. Committee Reports –

Chairperson Thomson noted at the last KCC meeting, they had voted unanimously to begin work on a three year contract for a community garden.

Councilor Spiller stated relative to the Wood Island Committee, that they had met with WILSSA. She continued there was a maritime heritage grant for which they would need a maintenance plan. Councilor Spiller stated that WILSSA had presented a plan but that Wood Island thought it was not the time for that and they were proposing to develop a maintenance plan with the Town Manager. Councilor Dennett noted that he was opposed to any town funds going towards this project. Councilor Spiller responded that any plan would have to come before Council to be acted on.

16. EXECUTIVE SESSION – None

17. ADJOURNMENT

**COUNCILOR PELLETIER MOVED TO ADJOURN, SECONDED BY
COUNCILOR WHITE WITH ALL IN FAVOR. MEETING ADJOURNED AT 8:07 P.M.**

UNAPPROVED MINUTES

214

215

216

217

218

219

6/22

BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES

8/20/15

INDICATE TYPE OF PRIVILEGE:



MALT



SPIRITUOUS



VINOUS

INDICATE TYPE OF LICENSE:

☒ RESTAURANT (Class I,II,III,IV)

☒ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER:

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) --(Sole Proprietor, Corporation, Limited Liability Co., etc.)		2. Business Name (D/B/A)	
DOB:		TASTY THAI	
DANIEL MARGOCK RAYMOND DOB: 3/20/66			
DOB:		Location (Street Address)	
Address 14 STONECROFT APT. 6		188 STATE RD	
PORTSMOUTH NH 03801		City/Town KITTERY State ME Zip Code 03904	
City/Town 603-340-4639 State Zip Code		Mailing Address PO Box 750	
Telephone Number Fax Number		City/Town KITTERY State ME Zip Code 03904	
Federal I.D. # 33-1169026		Business Telephone Number 207-439-9988 Fax Number	
		Seller Certificate # 1097034	

3. If premises is a hotel, indicate number of rooms available for transient guests:

4. State amount of gross income from period of last license: ROOMS \$

FOOD \$241,659.00

LIQUOR \$18,500.00

5. Is applicant a corporation, limited liability company or limited partnership?

YES ☐

NO ☒

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises?

YES ☐

NO ☒

7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: _____
Requested inspection date: _____ Business hours: M, W, TH, F - 4-9 SA, SU 2-9
9. Business records are located at: 14 STONECROFT APT 6 PORTSMOUTH NH 03801
10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐
11. Is/are applicant(s) residents of the State of Maine? YES ☐ NO ☒

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
<u>DANIEL CLARENCE RAYMOND</u>	<u>3/20/66</u>	<u>HARTFORD, CT</u>

Residence address on all of the above for previous 5 years (Limit answer to city & state)

PORTSMOUTH, NH

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner:

PARSONS LUMBER, INC PO Box 450 YORK, ME 03909

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: _____

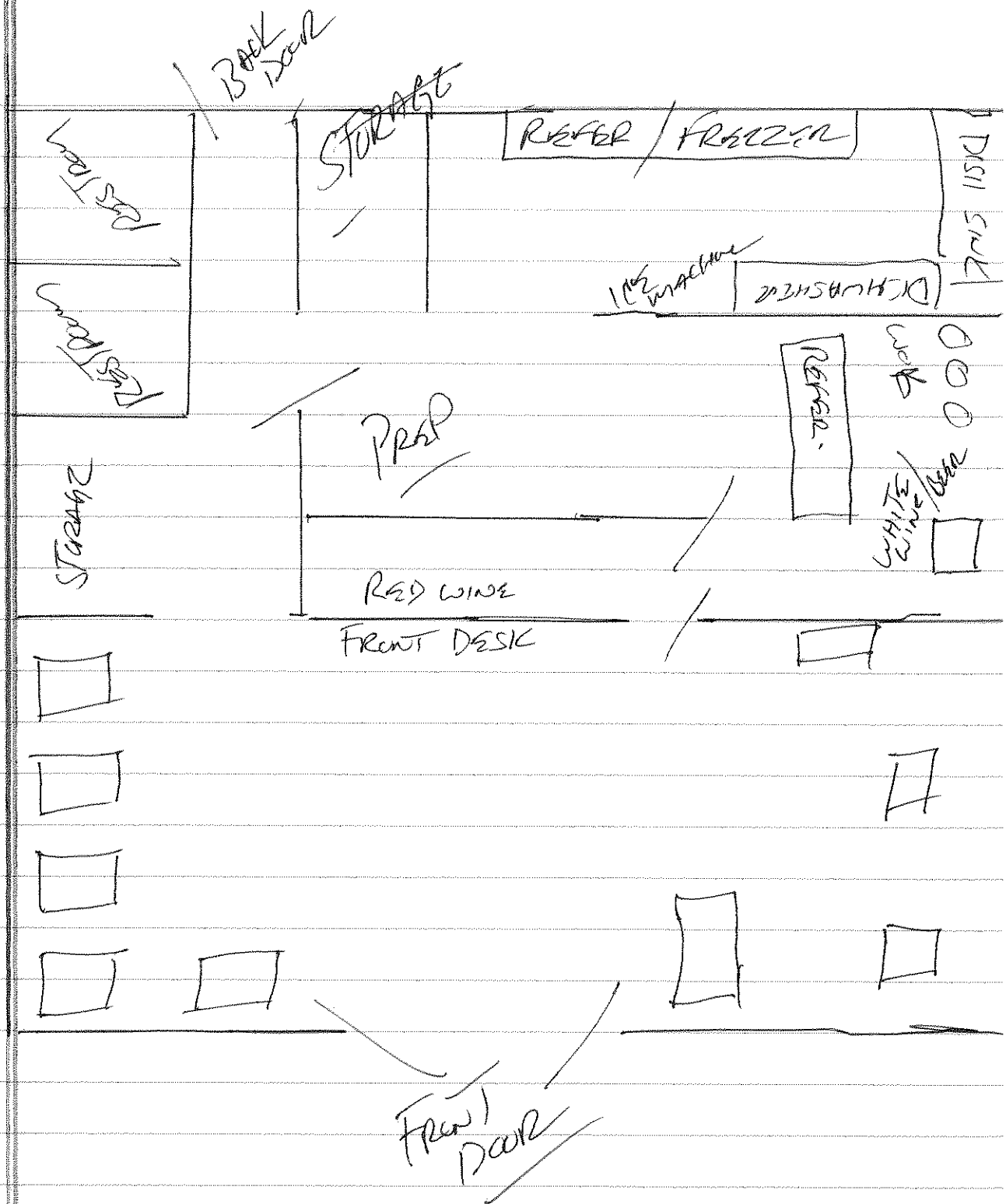
19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1 MILE Which of the above is nearest? SCHOOL

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."



TASTY THAI
 182 STATE RD
 KITTERY ME 03904

Dated at:

Kittanning
Town/City, State

on

6-4-15

Date

, 20 15

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.**FEE SCHEDULE**

Class I Spirituous, Vinous and Malt \$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only \$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only \$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

STATE OF MAINE

Dated at: Kittery, Maine York SS
City/Town (County)
 On: 6/22/15
Date

The undersigned being: ☒ Municipal Officers ☐ County Commissioners of the
☐ City ☒ Town ☐ Plantation ☐ Unincorporated Place of: Kittery, Maine

Hereby certify that we ~~have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and~~ hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal within 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A §4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A §4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.
- An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

6/22

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY

LICENSE NUMBER:

CLASS:

DEPOSIT DATE

AMT. DEPOSITED:

BY:

CK/MO/CASH:

PRESENT LICENSE EXPIRES 7-6-15

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ SPIRITUOUS ☐ VINOUS

INDICATE TYPE OF LICENSE:

☐ RESTAURANT (Class I,II,III,IV)

☐ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☒ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) —(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Tributary Brewing Co. LLC</u> DOB: _____ DOB: _____ DOB: _____ Address <u>5 Winding Brook Ln.</u> <u>South Berwick ME 03908</u> City/Town <u>South Berwick</u> State <u>ME</u> Zip Code <u>03908</u> Telephone Number <u>207 384-2568</u> Fax Number _____ Federal I.D. # <u>46-1683342</u>	2. Business Name (D/B/A) <u>Tributary Brewing Co.</u> <u>10 Shapleigh Rd., Ste. A</u> Location (Street Address) <u>Kittery</u> <u>ME</u> <u>03904</u> City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u> Mailing Address City/Town <u>207 703-0093</u> State _____ Zip Code _____ Business Telephone Number <u>207 703-0093</u> Fax Number _____ Seller Certificate # _____
---	--

3. If premises is a hotel, indicate number of rooms available for transient guests: _____

4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ 202,360

5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

7. If manager is to be employed, give name: _____

8. If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: prefer Mon or Tues Business hours: 12-7 p.m.

9. Business records are located at: the brewery: 10 Shapleigh Rd., Kittery

10. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Theodore O.D. Mott	05/01/1958	New York City
Galen M. Mott	11/13/1959	New York City

Residence address on all of the above for previous 5 years (Limit answer to city & state)

Both: South Berwick, Maine

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: Driscoll Realty, Inc. P.O. Box 207, Kittery Point, ME

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Production brewery with separate tasting room

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/4 mile Which of the above is nearest? Traip School

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Sanford Institute for Savings

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."



State of Maine
Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement

**Supplemental Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

Date Filed: _____

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

Tributary Brewing Co., LLC

2. Other business name for your entity (DBA), if any:

Tributary Brewing Co.

3. Date of filing with the Secretary of State: 10/22/2012

4. State in which you are formed: Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____

6. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

Name	Address for Previous 5 years	Date of Birth	Ownership %
Theodore O.D. Mott	5 Winding Brooke Ln, S. Berwick, ME	05/01/1958	49%
Galen M. Mott	5 Winding Brooke Ln, S. Berwick, ME	11/13/1959	51%

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: _____ Agency: _____

9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

10. If Yes to Question 9, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:


Signature of Duly Authorized Person

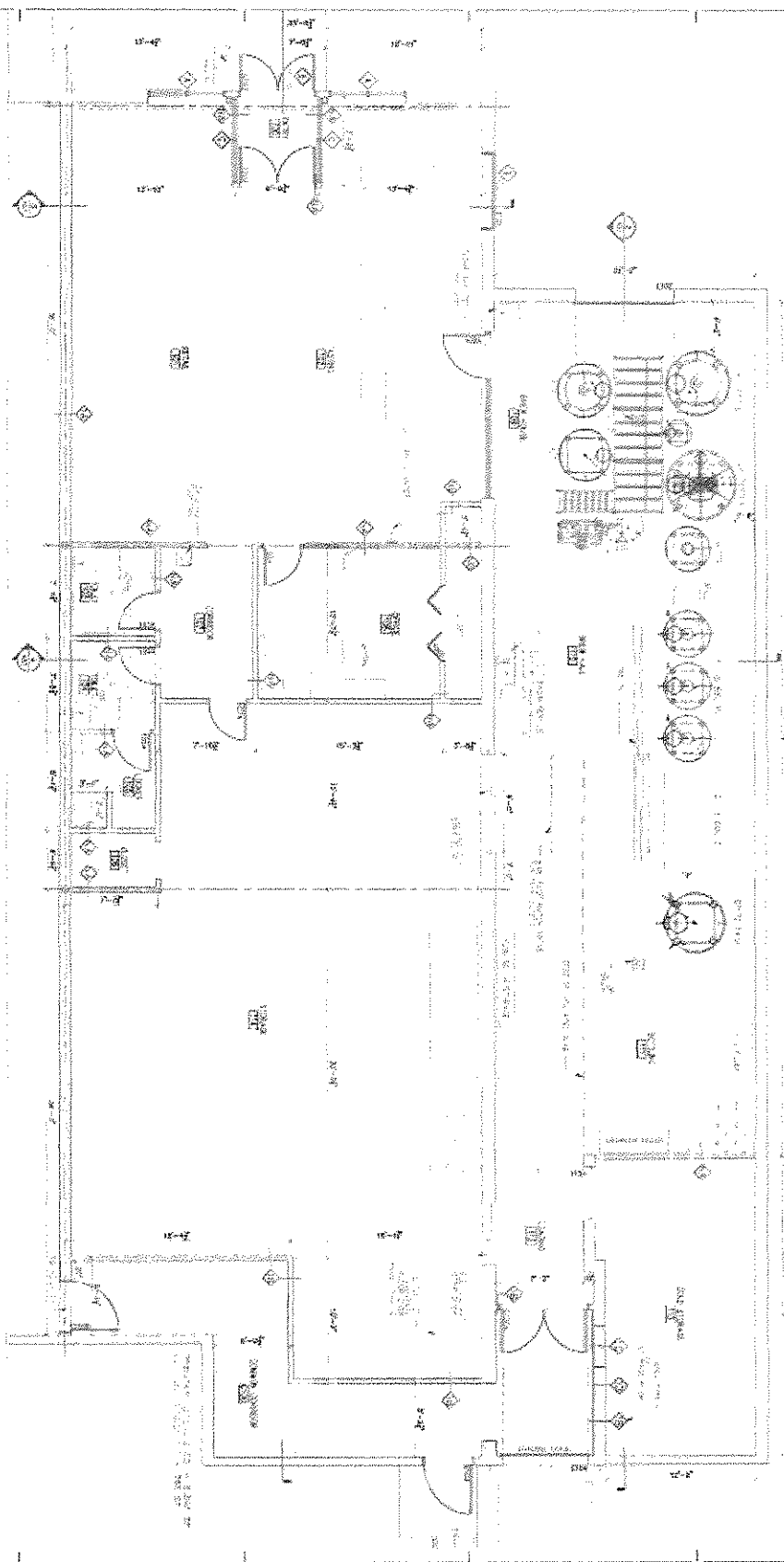
6/4/15
Date

Galen Mott
Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To: Bureau of Alcoholic Beverages and Lottery
Operations Division of Liquor Licensing Enforcement
8 State House Station
Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220
Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

1 FIRST FLOOR PLAN
A1.2



TRIBUTARY BREWING CO.
POST OFFICE SQUARE
Kittery, ME



ARCHITECTURE
1000 Main Street
Kittery, ME 03904
Phone: 603.430.1111
Fax: 603.430.1112

DRAFT

DATE	10/10/11
BY	JB
CHECKED BY	JB
APPROVED BY	JB
PROJECT NO.	1000
PROJECT NAME	TRIBUTARY BREWING CO.
PROJECT ADDRESS	1000 Main Street
PROJECT CITY	Kittery, ME
PROJECT STATE	ME
PROJECT ZIP	03904
PROJECT PHONE	603.430.1111
PROJECT FAX	603.430.1112
PROJECT EMAIL	info@tributarybrewing.com
PROJECT WEBSITE	www.tributarybrewing.com
PROJECT DESCRIPTION	First Floor Plan
PROJECT STATUS	100%
PROJECT COST	\$1,000,000
PROJECT BUDGET	\$1,000,000
PROJECT VARIANCE	\$0
PROJECT RISK	Low
PROJECT COMPLEXITY	Medium
PROJECT TIMELINE	12 Months
PROJECT START DATE	10/10/11
PROJECT END DATE	10/10/12
PROJECT MILESTONES	Design, Construction, Opening
PROJECT DELIVERABLES	Plans, Permits, Construction
PROJECT STAKEHOLDERS	Client, Architect, Contractor
PROJECT CONTACTS	JB, JB, JB
PROJECT NOTES	See attached documents for details.

A1.2

Dated at: Kittery, Maine on June 4, 20 15
Town/City, State Date

Please sign in blue ink

Galen Mott
Signature of Applicant or Corporate Officer(s)
Galen Mott
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituous, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituous Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 8 State House Station, Augusta ME 04333-0008. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: Kittery, Maine York SS
City/Town (County)
 On: 6/22/15
Date

The undersigned being: ☒ Municipal Officers ☐ County Commissioners of the
☐ City ☒ Town ☐ Plantation ☐ Unincorporated Place of: Kittery, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of the application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal within 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A §4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A §4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED
JUN 11 2015

PLEASE CHECK APPROPRIATE SQUARE:

BY: 9:00 AM

- ☒ APPLICATION FOR RE-APPOINTMENT TO TOWN BOARDS
- ☐ APPLICATION FOR APPOINTMENT FROM ALTERNATE TO FULL MEMBER
- ☐ APPLICATION FOR APPOINTMENT FROM FULL MEMBER TO ALTERNATE

NAME: Michael Downs

RESIDENCE: 7 Colonial Rd Kittery

MAILING ADDRESS IF DIFFERENT FROM ABOVE: _____

E-MAIL ADDRESS: Downs003@Comcast.net

TELEPHONE NUMBERS: (HOME) 207.4393347 (WORK) 207 712 5806

PRESENT POSITION: KCC Board of Directors

PLEASE CHECK APPROPRIATE SQUARE:

- | | | |
|--|---|--|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Port Authority | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Planning Board | <input type="checkbox"/> Shellfish Conservation Comm. |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Cable TV Rate Regulation Board | <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Recycling Scholarship Selection Committee |
| <input type="checkbox"/> Other <u>KCC BOD / Recreation</u> | | |

COMMENTS: _____

Michael Downs
SIGNATURE OF APPLICANT

6/10/15
DATE